

Below is the Order of the Court.



Christopher M. Alston
U.S. Bankruptcy Judge

(Dated as of Entered on Docket date above)

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE:

SAMIA EL-MOSLIMANY,

Debtor.

Chapter 7

Adv. Pro. No. 19-01034-CMA

Bankruptcy No. 18-14820-CMA

ORDER DENYING DISCHARGE

HAYAT SINDI,

Plaintiff,

v.

SAMIA EL-MOSLIMANY,

Defendant.

THIS MATTER came before the Court upon the Complaint of plaintiff Hayat Sindi ("Plaintiff" or "Dr. Sindi"). Plaintiff sought denial of the discharge of defendant Samia El-Moslimany ("Defendant") under 11 U.S.C. § 523(a)(6). Plaintiff is represented in this

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adversary case by Anthony S. Wisen, and Defendant is represented by Elena Garella. Trial was to have commenced on August 10, 2021.

Defendant has now withdrawn her defenses to the adversary case, and the parties have requested entry of an order and judgment denying discharge, which is based upon the following agreed facts, as well as the other files and records in this action:

1. On October 6, 2016, the United States District Court for the District of Massachusetts entered final judgment (the “10/6/16 Judgment”) in the matter *Hayat Sindi v. Samia El-Moslimany and Ann El-Moslimany*, Case No. 1:13-cv-10798-IT (the “Massachusetts Lawsuit”).

2. On August 17, 2018, following appeal, the district court entered its Second Amended Final Judgment in the Massachusetts Lawsuit (together with the 10/6/16 Judgment, the “Judgment”).

3. On December 20, 2018, Samia El-Moslimany filed the instant bankruptcy, which is pending under Case No. 18-14820-CMA. As of the petition date, the amount claimed by Plaintiff against Defendant under the Judgment was \$1,550,298.45, consisting of \$400,000 for defamation, \$576,000 for intentional interference of contractual relations, \$100,000 for intentional infliction of emotional distress, and pre and post judgment interest.

4. On March 25, 2019, Hayat Sindi filed the instant adversary proceeding, which is pending under Case No. 19-01034-CMA (the “Non-Discharge Action”). In the Non-Discharge Action, Plaintiff alleged that the Judgment is not subject to discharge pursuant to 11 U.S.C. § 523(a)(6).

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1 5. On June 25, 2020, Plaintiff moved for summary judgment on her claims. On July 23,
2 2020, the Court granted the motion in part, and denied in part. *See* Dkt. No. 38 (Order on
3 Summary Judgment).

4 6. The Non-Discharge Action was set for trial August 10-12, 2021 on the only remaining
5 questions of whether Defendant's actions were "willful" and "malicious" within the
6 meaning of 11 U.S.C. §523(a)(6).

7 7. On Friday, July 30, 2021, Defendant withdrew her remaining defenses to the Non-
8 Discharge Action and agreed to entry of an order and judgment denying discharge in this
9 action. The Court was notified of the resolution, and the trial was stricken. *See* Dkt. No. 41.

10 It appearing that the Court has jurisdiction over this matter; and the Court, having
11 considered the foregoing agreed facts and the facts of record in this matter; and after due
12 deliberation and sufficient cause appearing therefor,

13 NOW, THEREFORE, based upon ~~the~~ Samia El-Moslimany's withdrawal of her
14 defenses to the Non-Discharge Action, which is hereby approved, and upon the other
15 evidence of record in this matter, which is adopted and incorporated herein, the Court

16 HEREBY ORDERS ADJUDGES AND DECREES that Plaintiff is entitled to a
17 judgment denying Defendant's discharge of Plaintiff's Judgment under 11 U.S.C. § 523(a)(6).
18 The Court will enter a separate judgment consistent with this Order.

19
20
21 /// END OF ORDER ///

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